



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/774,110	02/06/2004	Roger S. Frew	VCR1175	8388

30245 7590 08/02/2004
ANTHONY EDW. J CAMPBELL
PO BOX 160370
AUSTIN, TX 78716

EXAMINER

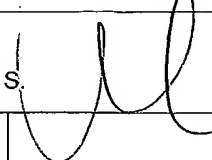
GRAVINI, STEPHEN MICHAEL

ART UNIT PAPER NUMBER

3749

DATE MAILED: 08/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/774,110	Applicant(s) FREW, ROGER S. 	
	Examiner Stephen Gravini	Art Unit 3749	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>20040206</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3, 15, and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Barker et al. (US 5,222,308). Barker is considered to disclose a device comprising:

a T-junction conduit **17** having an input port and two outlet vent ports, said input port of said T- junction conduit in fluid communications with said two outlet vent ports; and

an adaptor sleeve **12** attached to said T-junction conduit, said adaptor sleeve having an entrance port and an exit port said entrance port of said adaptor sleeve in fluid communications with said exit port of said adaptor sleeve, said exit port of said adaptor sleeve in fluid communications with said input port of said T-junction conduit. Barker is also considered to disclose an electric air dryer **15** attached to said entrance port of said adaptor sleeve, said electric air dryer having an electric power cord, an air intake vent, and an air output vent, said air intake vent in fluid communications with said air output vent, said air output vent in fluid communications with said entrance port of said adaptor sleeve.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 2, 4-14, 16, and 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barker in view of Rice (US 5,720,108). Barker is considered to disclose the claimed invention, as discussed above under the anticipatory rejection, except for the claimed air divider wedge, elastic, and plastic or fabric material. Rice is considered to disclose an air divider wedge at column 5 lines 64-67. It would have been obvious to one skilled in the art to combine the teachings of Barker with the air divider wedge considered to be taught by Rice for the purpose of diverting drying air flow for moist boots. Furthermore Barker in view of Rice is considered disclose the claimed invention except for the claimed elastic, and plastic or fabric material. It would have been an obvious matter of design choice to provide the teachings of Barker in view of

Rice with the material claimed by the applicant, since applicant has not patentably distinguished the material advantages over the materials found in the prior art.

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sloan (US 5,289,642) in view of Rice. Sloan is considered to disclose a method comprising:

obtaining the kit comprising:

a T-junction conduit **16** having an input port and two outlet vent ports, the input port of the T-junction conduit in fluid communications with the two outlet vent ports; and

an adaptor sleeve **20** attachable to the T-junction conduit, the adaptor sleeve having an entrance port and an exit port the entrance port of the adaptor sleeve in fluid communications with the exit port of the adaptor sleeve, the exit port of the adaptor sleeve capable of being configured in fluid communications with the input port of the T-junction conduit;

an electric air dryer **14** attachable to the entrance port of the adaptor sleeve, the electric air dryer having an electric power cord, an air intake vent, and an air output vent, the air intake vent in fluid communications with the air output vent, the air output vent capable of being configured in fluid communications with the entrance port of the adaptor sleeve;

plugging the electric power cord of the electric air dryer to an electric power socket;

switching on the electric air dryer;

hanging a pair of wet boots on the two outlet vent ports of the T-junction conduit while the electric air dryer is switched on;

removing the hung boots from the two outlet vent port of the T-junction conduit when the hung boots become dry;

turning off the electric air dryer;

unplugging the electric power cord of the electric air dryer from the electric power socket;

slipping off the second elastic band of the exit port of the adaptor sleeve from around the input port of the T-junction conduit; and

pulling off the first elastic band of the entrance port of the adaptor sleeve around the air output vent of the electric air dryer (please see column 2 line 7 through column 4 line 68 for the operational steps involved, which are considered to anticipated the claimed steps). Sloan is considered to disclose the claimed invention, as discussed above under the anticipatory rejection, except for the claimed air divider wedge, elastic, and plastic or fabric material. Rice is considered to disclose an air divider wedge at column 5 lines 64-67. It would have been obvious to one skilled in the art to combine the teachings of Sloan with the air divider wedge considered to be taught by Rice for the purpose of diverting drying air flow for moist boots. Furthermore Sloan in view of Rice is considered disclose the claimed invention except for the claimed elastic. It would have been an obvious matter of design choice to provide the teachings of Sloan in view of Rice with the material claimed by the applicant, since applicant has not

Art Unit: 3749

patentably distinguished the material advantages over the materials found in the prior art.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. References A, N and O, cited in this action is considered to teach the claimed boot dryer.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Gravini whose telephone number is 703 308 7570. The examiner can normally be reached on normal weekday business hours (east coast time).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ira S. Lazarus can be reached on 703 308 1935. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3749

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

smg
July 27, 2004

Stephen W. Harris